

Discussion Draft

1

September 4, 2019

XXXX CONGRESS

XXX SESSION

S.

To provide for conservation and economic development and to modify the boundaries of certain national recreation areas in the State of Nevada, and for other purposes.

IN THE SENATE OF THE UNITED STATES

XXXXXX introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To provide for conservation and economic development and to modify the boundaries of certain national recreation areas in the State of Nevada, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Southern Nevada Economic Development and Conservation Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

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TITLE I—MOAPA VALLEY TRIBAL EMPOWERMENT AND ECONOMIC DEVELOPMENT

Sec. 101. Transfer of land to be held in trust for the Moapa Band of Paiutes.

Sec. 102. Tribal fee land to be held in trust.

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Sec. 202. Definition of Public Park under the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002.

Sec. 203. Boundary Adjustment to the Red Rock Canyon National Conservation Area.

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Sec. 402. City of Mesquite, Nevada Conveyance for Public Park and Protection of the Virgin River Watershed.

Sec. 403. Clark County, Nevada Conveyance to Support Public Safety and Wildfire Response.

Sec. 404. Moapa Valley Water District, Nevada Conveyance to Support Access to Rural Water Supply.

TITLE V—TECHNICAL AMENDMENTS TO THE MESQUITE LANDS ACT OF 2003

Sec. 501. Amendments to the Mesquite Lands Act to Allow For the Implementation of the Virgin River Watershed Plan.

TITLE VI—TECHNICAL AMENDMENTS TO THE SOUTHERN NEVADA LIMITED TRANSITION AREA ACT OF 2006

Sec 601. Amendments to the Southern Nevada Limited Transition Area Act.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Off-highway Vehicle Recreation Area.

Sec. 702. Eastern Nevada Transmission Project to Increase Renewable Energy Transmission.

Sec. 703. Water Infrastructure Conveyances for Public Purposes.

Sec. 704. Lower Las Vegas Wash Weirs to Prevent Further Erosion of the Lower Las Vegas Wash and Improve Water Quality.

Sec 704. Amendment to the Las Vegas Valley Resource Management Plan of 1998 For Critical Flood Control Facilities.

SEC. 2. DEFINITIONS.

(a) In this Act:

(1) ASSOCIATED SUPPORTIVE USE.—The term “associated supportive use” means a use that supports the overall function and enjoyment of a public park.

(2) COUNTY.—The term “County” means Clark County, Nevada.

(3) FEDERAL PARCEL.—The term “Federal parcel” means the parcel of approximately 16.54 acres of land in the Spring Mountains National Recreation Area that is generally depicted as Assessor’s Parcel Number 129-10-000-016 on the map entitled “Federal Parcel, Camp Lee Canyon” and dated September 4, 2019.

(4) INCIDENTAL TAKE PERMIT.—The term “incidental take permit” means the Section 10(a)(1)(B) incidental take permit issued to Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, City of Boulder City, City of Mesquite, and the Nevada Department of Transportation, or any amendment thereto.

(5) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(7) NON-FEDERAL PARCEL.—The term “non-Federal parcel” means the parcel of approximately 4.12 acres of non-Federal land owned by the County that is generally depicted as Assessor’s Parcel Number 129-10-000-006 on the map entitled “Non-Federal Parcel, Lee Meadows” and dated September 4, 2019.

(6) REGIONAL GOVERNMENTAL ENTITY.—The term "regional governmental entity" shall have the same meaning as set forth in Section 3 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263 (as amended)).

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(8) SPECIAL ACCOUNT.—The term "special account" shall have the same meaning as set forth in section 3 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263 (as amended)).

(9) STATE.—The term "State" means the State of Nevada.

(10) TRIBE.—The term "Tribe" means the Moapa Band of Paiutes of the Moapa River Indian Reservation, Nevada.

(11) UNIT OF LOCAL GOVERNMENT.—The term "unit of local government" shall have the same meaning as set forth in section 3 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263 (as amended)).

(12) WILDERNESS.—The term "Wilderness" means the additions to the wilderness preservation system established in section 301.

(13) WILDERNESS MAP.—The term "Wilderness Map" means the map entitled "Proposed Wilderness" and dated September 4, 2019.

TITLE I—MOAPA VALLEY TRIBAL EMPOWERMENT AND ECONOMIC DEVELOPMENT

SEC. 101. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE MOAPA BAND OF PAIUTES.

(a) IN GENERAL.—Subject to valid existing rights, and to rights-of-way for construction, maintenance, and operation of Moapa Valley Water District facilities as shown on the map entitled "Moapa Valley Water District – Facilities and Land Conveyances" and dated September 4, 2019, all right, title, and interest of the United States in and to the land described in subsection (b) shall be—

- (1) held in trust by the United States for the benefit of the Tribe; and
- (2) part of the reservation of the Tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 41,028 acres of land administered by the Bureau of Land Management and

the Bureau of Reclamation as generally depicted on the Map entitled “Reservation Expansion Land” and dated September 4, 2019.

(c) SURVEY.—Not later than 60 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a) and take the land into trust on behalf of the Tribe.

(d) GAMING.—Land taken into trust under this section shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(e) WATER RIGHTS.—

(1) IN GENERAL.—There shall not be Federal reserved rights to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(2) STATE WATER RIGHTS.—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

SEC. 102. TRIBAL FEE LAND TO BE HELD IN TRUST.

(a) IN GENERAL.—All right, title, and interest of the Tribe in and to the land described in subsection (b) shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) DESCRIPTION OF THE LAND.—The land referred to in subsection (a) is the approximately 200 acres of land held in fee by the Tribe as generally depicted on the Map entitled “General Land Status, Moapa Band of Paiutes” and dated September 2012.

(c) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a) and take the land into trust on behalf of the Tribe.

TITLE II—CLARK COUNTY, NEVADA

SEC. 201. CAMP LEE CANYON AND LEE MEADOWS LAND EXCHANGE.

(a) FINDINGS.—The Congress finds the following:

(1) Clark County owns an approximately four-acre inholding in the upper Lee Meadows of the Springs Mountains National Recreation Area. This parcel contains

significant noneconomic scientific, historic, cultural, scenic, recreational, natural resource values, including rare plant and animal communities. The parcel includes habitat for endemic Spring Mountains butterflies, including the endangered Mt. Charleston blue butterfly.

(2) Development of the County-owned parcel would be incompatible with the preservation of the significant resource values present on the inholding and would mar the surrounding upper Lee Meadows. Federal acquisition of this inholding would eliminate this potential incompatibility and would enhance management of the Lee Meadows ecosystem within the Spring Mountains National Recreation Area.

(3) The United States owns approximately 16.54 acres within the Spring Mountains National Recreation Area commonly referred to as “Camp Lee Canyon.” Clark County, through a Special Use Permit, has run a variety of popular recreational amenities at Camp Lee Canyon for many years. Clark County has also made significant financial investments in Camp Lee Canyon such as building, refurbishing, and maintaining a central bath house, dining hall and fire place, kitchen, nurses’ quarters, outdoor dance floor and shelter, outdoor picnic area, playground amphitheater with fire pit, recreation hall with fireplace, sleeping accommodations for 145 people, and various sports courts.

(4) Section 206 the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) allows for the Secretary to dispose of federal lands using a process that requires exchanged lands to be of equal value based on appraisal standards, where market value is based on the highest and best use of the land as if in private ownership and available for sale on the open market. Equal value determinations based on highest and best use determinations do not sufficiently consider nonmarket values. In fact, the process outlined in the Federal Land Policy and Management Act requires that noneconomic considerations such as preservation of rare and endangered species habitat be excluded from estimating market value. These stipulations limit a Federal agency’s ability to acquire inholdings to protect rare ecosystems and sensitive habitat.

(5) The United States can convey Camp Lee Canyon to Clark County for the Lee Meadows inholding without jeopardizing established Federal land management objectives and without resulting in significant environmental concerns of any kind.

(6) Because the inholding to be acquired by the Federal Government includes an incredibly rare ecosystem and habitat for some of the most narrowly endemic species on earth, and because the County shall continue to use Camp Lee Canyon to provide public recreational amenities, the exchange of these two parcels is

appropriate and serves long-standing public interests for sensitive area protection and public recreation.

(7) The Congress finds that the interests to be conveyed to United States by Clark County and the Federal interests to be conveyed to Clark County by the United States, are approximately equal.

(8) The purpose of this section is to enact into law and direct prompt implementation of this exchange.

(b) IN GENERAL.—At the request of the County, the Secretary of Agriculture shall convey to the County “Camp Lee Canyon”, generally depicted as Assessor’s Parcel Number 129-10-000-016 on the map entitled “Federal Parcel, Camp Lee Canyon” and dated September 4, 2019, in exchange for the conveyance by the County to the Secretary of Agriculture of the non-Federal parcel, known as “Lee Meadows” and generally depicted as Assessor’s Parcel Number 129-10-000-006 on the map entitled “Non-Federal Parcel, Lee Meadows” and dated September 4, 2019.

(c) PAYMENT OF COSTS.—As a condition of the land exchange under subsection (b), the County shall pay any costs relating to any land surveys and other associated costs of exchanging the Federal parcel and non-Federal parcel.

(d) ADDITIONAL TERMS AND CONDITIONS.—The land exchange under subsection (a) shall be subject to—

(1) valid existing rights; and

(2) any terms and conditions that the Secretary of Agriculture may require.

(e) PUBLIC INSPECTION AND NOTICE.—

(1) NOTICE.—The Secretary or the County, as applicable, at least 30 days before the date of exchange shall publish in a newspaper of general circulation in Las Vegas, Nevada, a notice of the land exchange and opportunity for public inspection of related documents.

(2) PUBLIC INSPECTION.—At least 30 days before the date of exchange of the Federal parcel and non-Federal parcel, a map with the exchange shall be available for public review at the Spring Mountains National Recreation Area office in the State.

(f) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that the land exchange under subsection (a) be completed not later than one year after the date of enactment of this Act.

(g) MANAGEMENT AND STATUS OF ACQUIRED LAND.—The non-Federal parcel acquired by the Secretary under this section shall be added to, and administered as part of, the Spring Mountains National Recreation Area.

(h) EFFECT.—Nothing in this section alters any existing reserved water right or treaty right of any Indian tribe.

SEC. 202. DEFINITION OF PUBLIC PARK UNDER THE RED ROCK CANYON NATIONAL CONSERVATION AREA PROTECTION AND ENHANCEMENT ACT OF 2002.

(a) IN GENERAL.—Section 102 of the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002 (16 U.S.C. 460ccc–4 note; Public Law 107–282) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively,

(2) by inserting before paragraph (2) (as redesignated) the following: “(1) ASSOCIATED SUPPORTIVE USE.—The term ‘associated supportive use’ means a use that supports the overall function and enjoyment of a public park.”; and

(3) by inserting after paragraph (2) (as redesignated) the following: “(3) PUBLIC PARK.—The term ‘public park’ includes land developed or managed by a partnership between Clark County, Nevada, and a private entity for recreational uses and associated supportive uses, including uses that require a fee for admittance or use of property within the public park.”.

SEC. 203. BOUNDARY ADJUSTMENT TO THE RED ROCK CANYON NATIONAL CONSERVATION AREA.

(a) BOUNDARY ADJUSTMENT.—

(1) IN GENERAL.—The boundary of the Red Rock Canyon National Conservation Area, as established under the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), is modified to exclude approximately 99 acres of land, as generally depicted on the map entitled “Red Rock Canyon NCA Boundary Adjustment” and dated September 4, 2019.

(2) AVAILABILITY OF MAP.—The map described in paragraph (a)(1) shall be on file and available for inspection in the appropriate offices of the Bureau of Land Management.

(3) The Secretary shall create new maps showing the amended boundaries of the Red Rock Canyon National Conservation Area as modified or pursuant to this Act, and make such maps available for review and inspection in the appropriate offices of the Bureau of Land Management.

SEC. 204. BOUNDARY ADJUSTMENT TO THE RAINBOW GARDENS AREA OF CRITICAL ENVIRONMENTAL CONCERN.

(a) **BOUNDARY ADJUSTMENT.—**

(1) **IN GENERAL.**—The boundary of the Rainbow Gardens Area of Critical Environmental Concern, as amended under the Las Vegas Resource Management Plan of 1998, is modified to exclude approximately 390 acres of land, as generally depicted on the map entitled “Rainbow Gardens ACEC Boundary Adjustment” dated September 4, 2019.

(2) **AVAILABILITY OF MAP.**—The map described in paragraph (a)(1) shall be on file and available for inspection in the appropriate offices of the Bureau of Land Management.

SEC. 205. LAND DISPOSAL AND PUBLIC PURPOSE CONVEYANCES.

(a) **DISPOSAL.**—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712), the Secretary, in accordance with this Act, the Federal Land Policy and Management Act of 1976, the Southern Nevada Public Land Management Act of 1998, as amended (Public Law 105–263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045) and other applicable law, and subject to valid existing rights, shall dispose of lands under the jurisdiction of the Secretary within the boundary of the area as generally depicted on the map entitled “Land Disposal” dated September 4, 2019. Such map shall be on file and available for public inspection in the office of the Secretary and the Las Vegas Field Office of the Bureau of Land Management. Land disposal areas are as follows:

- (1) Las Vegas Valley,
- (2) Moapa,
- (3) Moapa Valley,
- (4) Glendale,
- (5) Mesquite,
- (6) Desert Springs Correctional,

(7) Indian Springs,

(8) Sandy Valley,

(9) Goodsprings,

(10) Jean,

(11) Primm,

(12) Nelson,

(13) Searchlight, and

(14) Laughlin.

(b) PUBLIC PURPOSE CONVEYANCES.—

(1) IN GENERAL.—

(A) Subject to subparagraph (b)(1)(B) and subject to valid existing rights, on request by the State or a unit of local government, or regional governmental entity in Clark County, Nevada for conveyance of lands obtained for public purposes pursuant to, and in compliance with, the Recreation and Public Purposes Act of 1926, as amended (43 U.S.C. 869 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and all other applicable law, and on which permanent public facilities have been or may be constructed, the Secretary shall convey by quitclaim deed, without consideration, all right, title, and interest of the United States.

(B) MAP AND LEGAL DESCRIPTION,—

(i) **IN GENERAL.**—Within 180 days of the request by the State, unit of local government or regional government entity in Clark County, Nevada for conveyance, the Secretary shall prepare and file a map of the parcel of land to be conveyed under subparagraph (b)(1)(A).

(ii) **EFFECT.**—Each map filed under clause (b)(1)(B)(i) shall have the same force and effect as if included in this section except that the Secretary may correct minor errors on the maps and legal descriptions.

(iii) **PUBLIC AVAILABILITY.**—Each map and legal description filed under clause (b)(1)(B)(i) shall be on file and available for

public inspection in the Las Vegas Field Office of the Bureau of Land Management.

(C) REVERSION.—As a condition of the transfer under subparagraph (b)(1)(A), the Secretary, at his discretion, shall require that, with the exception of sediment removed from stormwater detention basins, if any portion of the transferred land ceases to be used for public purposes, all right, title, and interest in the transferred land will revert to the United States, or the Secretary may authorize the unit of local government to dispose of such lands through sale, lease, or other conveyance.

(i) IN GENERAL.—The sale, lease, or other conveyance shall be—

(I) for fair market value; and

(II) any gross proceeds received by the State, a unit of local government, or a regional governmental entity from the sale, lease, or other conveyance of the land shall be deposited into the special account established by section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998, as amended.

(ii) RESPONSIBILITY FOR REMEDIATION.—In the case of a reversion under subparagraph (b)(1)(C), if the Secretary determines that the parcel of land is contaminated with hazardous waste, the State, unit of local government, or regional governmental entity to which the parcel of land was conveyed under subparagraph (b)(1)(A) shall be responsible for remediation.

(D) VALIDATION OF APPLICABLE LAW.—The leases, patents and real estate transactions for lands to be transferred under subparagraph (b)(1)(A) are affirmed and validated as having been completed pursuant to, and in compliance with, the Recreation and Public Purposes Act of 1926, as amended (43 U.S.C. 869 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the construction of public schools, fire stations, parks, community centers, law enforcement facilities, flood control facilities, and other public infrastructure,

(E) PAYMENT OF COSTS.—The Secretary shall pay for any administrative and real estate transfer costs incurred in carrying out the conveyances in subparagraph (b)(1)(A) from the special account established

by section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998, as amended.

(c) REMOVAL OF THE WEST VALLEY DISPOSAL AREA.—

(1) IN GENERAL.—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712), the Secretary, in accordance with this Act, the Federal Land Policy and Management Act of 1976, and other applicable law, and subject to valid existing rights, shall remove from disposal lands within the boundary of the area under the jurisdiction of the Secretary, as generally depicted on the map entitled “West Valley Disposal Boundaries” dated September 4, 2019. Such map shall be on file and available for public inspection in the offices of the Secretary and the Las Vegas Field Office of the Bureau of Land Management.

(d) USE OF PUBLIC PRIVATE PARTNERSHIPS BY UNITS OF LOCAL GOVERNMENT FOR AFFORDABLE HOUSING

(1) IN GENERAL.—All lands that have been or may be acquired by units of local government for public purposes and contain reversionary provisions in the County, may be developed, financed, utilized and maintained for such public purposes, including affordable housing, through public private partnerships with concessions or subcontractors under contract with the respective units of local government.

(2) ACQUISITION AND CONVEYANCE OF LAND.—Upon application from the County or a unit of local government for federal lands that are to be used for affordable housing as authorized in section (7)(b) of Public Law 105-263, the Secretary shall—

- (A) Convey such land to the County or unit of local government, without consideration, all right, title, and interest of the United States;
- (B) Charge a fee of no more than \$1 for such land; and
- (C) Process such conveyance within 90 days.

(3) REVERSION.—If a parcel of land conveyed to the County as described under paragraph (e)(1) ceases to be used for affordable housing or for a purpose related to affordable housing, then at the discretion of the Secretary, all right, title, and interest in the land will revert to the United States.

SEC. 206. ESTABLISHMENT OF AREAS OF CRITICAL ENVIRONMENTAL CONCERN.

(a) REVOCATION OF IVANPAH AREA OF CRITICAL ENVIRONMENTAL CONCERN.—The designation by the Bureau of Land Management of the Ivanpah Area of Critical Environmental Concern in the State dated February 14, 2014, is revoked.

(1) IN GENERAL.—To take the place of, and serve the purposes of the Ivanpah Area of Critical Environmental Concern revoked by subsection (a), there is established in the State the Desert Tortoise Protective Corridor Area of Critical Environmental Concern as further described in subsection (b) below.

(2) EFFECT.—Nothing in this section prevents or interferes with—

(A) the construction or operation of the Ivanpah Valley Airport authorized under the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106–362; 114 Stat. 1404); or

(B) the Airport Environs Overlay District authorized under section 501(c) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (Public Law 107–282; 116 Stat. 2008) and section 3092(i) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3875).

(b) DESIGNATION.—There is established the following Areas of Critical Environmental Concern consisting of approximately 296,680 acres of Federal land administered by the Bureau of Land Management in the County as generally depicted on the maps entitled “Areas of Critical Environmental Concern” and dated September 4, 2019. The areas are as follows:

- (1) Stump Springs Expansion,
- (2) Bird Springs Valley,
- (3) Desert Tortoise Protective Corridor,
- (4) Jean Lake,
- (5) Gale Hills,
- (6) California Wash,
- (7) Bitter Springs,
- (8) Muddy Mountains, and
- (9) Mesa Milkvetch.

(c) PURPOSE.—The Areas of Critical Environmental Concern established in subsection (b) are to protect, conserve, and enhance habitat of sensitive, threatened, and endangered species covered by the Clark County Multiple Species Habitat Conservation Plan or any amendment thereto.

(d) MAP AND LEGAL DESCRIPTION,—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and legal description of the Areas of Critical Environmental Concern established under subsection (b).

(2) EFFECT.—The map and legal description filed under paragraph (d)(1) shall have the same force and effect as if included in this section except that the Secretary may correct minor errors on the map and legal description, subject to the requirement that, before making the proposed corrections, the Secretary shall submit to the County the proposed corrections.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description filed under paragraph (d)(1) shall be on file and available for public inspection in the Las Vegas Field Office of the Bureau of Land Management.

(e) WITHDRAWAL.—Subject to valid existing rights, and to rights-of-way for construction, maintenance, and operation of Moapa Valley Water District facilities as shown on the map entitled “Moapa Valley Water District – Facilities and Land Conveyances” and dated September 4, 2019, all Federal lands identified in subsection (b) for designation as an Area of Critical Environmental Concern are withdrawn from—

- (1) all forms of entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the United States mining laws; and
- (3) disposition under all laws pertaining to mineral and geothermal leasing and mineral materials.

(f) COOPERATIVE MANAGEMENT AGREEMENT.—

(1) IN GENERAL.—Within one year after the date of enactment of this Act, the Secretary shall enter into a cooperative management agreement with the County and the Secretary and the County shall jointly manage the Areas of Critical Environmental Concern—

(A) in a manner that conserves, protects, and enhances habitat for sensitive, threatened, and endangered species covered by the Clark County Multiple Species Habitat Conservation Plan or any amendment thereto;

(B) in accordance with—

(i) this section;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(iii) any other applicable Federal law.

(g) MANAGEMENT PLAN.—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act and not more than two years after the date of enactment, the Secretary and the County shall—

(A) develop a comprehensive cooperative management plan for the long-term protection and management of the Areas of Critical Environmental Concern; and

(B) amend the existing 1998 Las Vegas Resource Management Plan to incorporate the provisions of the management plan for the Areas of Critical Environmental Concern designated in subsection (b).

(2) **INTERIM MANAGEMENT.**—Pending completion of the comprehensive management plan required in subparagraph (g)(1)(A) and amendment of the Las Vegas Resource Management Plan as required in subparagraph (g)(1)(B), the Areas of Critical Environmental Concern designated in subsection (a) shall be managed consistent with this section and comparable to the Paiute-Eldorado Area of Critical Environment Concern as described in the existing 1998 Las Vegas Resource Management Plan.

(h) TRANSPORATION AND UTILITY CORRIDORS.—

(1) **EFFECT.**—Nothing in this section—

(A) affects the existence, use, operation, maintenance, repair, construction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation improvement funding, removal, or replacement of any utility facility or appurtenant right-of-way within an existing designated transportation and utility corridor as depicted on the map entitled “Transportation and Utility Corridors within ACECs” dated September 4,

2019 within the Areas of Critical Environmental Concern designated in subsection (b).

(B) precludes the Secretary from authorizing the establishment of new utility facility rights-of-way within an existing designated transportation and utility corridor within the Areas of Critical Environmental Concern designated in subsection (b)—

- (i) in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law; and
- (ii) subject to such terms and conditions as the Secretary determines to be appropriate.

(2) MANAGEMENT PLAN.—Consistent with this section, the management plan for the Areas of Critical Environmental Concern described in subsection (g) shall establish provisions, including avoidance, minimization, and mitigation measures, for ongoing maintenance of public utility and other rights-of-way within existing designated transportation and utility corridors within the Areas of Critical Environmental Concern established in subsection (b).

SEC. 207. RELATIONSHIP TO THE CLARK COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN.

(a) IN GENERAL.—Upon receipt from the County of a complete application for an amendment to the Federal Fish and Wildlife Permit Application, as required by 50 CFR 17.22(b)(1) and 17.32(b)(1), and an amended Clark County Multiple Species Habitat Conservation Plan, which incorporates the Areas of Critical Environmental Concern established in this Act and the provisions of the comprehensive management plan required in this Act, the Secretary shall in accordance with this Act, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq), the Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq.) and all other applicable Federal environmental laws—

(1) Credit, on an acre-for-acre basis, approximately 296,680 acres of the land conserved and designated as Areas of Critical Environmental Concern under this Act, as referenced in the map entitled “Areas of Critical Environmental Concern” dated September 4, 2019, as mitigation toward the development of additional non-Federal land within Clark County, Nevada through an amendment to the Clark County Multiple Species Habitat Conservation Plan and Federal incidental take permit.

(2) Extend for a period of fifty years the Clark County Multiple Species Habitat Conservation Plan and Federal incidental take permit.

(b) FEDERAL PERMIT ISSUANCE CRITERIA—Before amending the Multiple Species Habitat Conservation Plan and extending the Federal incidental take permit described in subsection (a), the Secretary shall ensure that the Federal incidental take permit issuance criteria required in 50 CFR 17.22(b)(2), 17.32(b)(2) and 50 CFR 222.307(c)(2) are met.

(c) If the amended Federal incidental take permit containing the elements set forth in paragraphs (a)(1) and (a)(2) is not issued by the year 2030, the Areas of Critical Environmental Concern designations in subsection (b) shall lapse.

(d) Nothing in this Act otherwise limits, alters, modifies, or amends the Clark County Multiple Species Habitat Conservation Plan.

TITLE III—WILDERNESS

SEC. 301. ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) DESIGNATION OF ADDITIONAL WILDERNESS.—

(1) IN GENERAL.—In accordance with the Wilderness Act of 1964 (16 U.S.C. 1131 et seq.), the approximately 82,850 acres of land in Clark County, Nevada, as generally depicted on the map entitled “Proposed Wilderness” dated September 4, 2019 is designated as wilderness areas and as components of the National Wilderness Preservation System. The lands are as follows:

- (A) Mt. Stirling,
- (B) South McCullough,
- (C) Ireteba Peaks, and
- (D) Muddy Mountains.

(2) MANAGEMENT.—

(A) IN GENERAL.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with this section and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(B) ADJACENT MANAGEMENT.—

(i) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(ii) NON-WILDERNESS ACTIVITIES.—The fact that non-wilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall—

- (A) become part of the Wilderness; and
- (B) be managed in accordance with—
 - (i) the Wilderness Act (16 U.S.C. 1131 et seq.);
 - (ii) this subsection; and
 - (iii) any other applicable laws.

(4) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Wilderness.

(B) FORCE OF LAW.—The maps and legal descriptions prepared under subparagraph (a)(4)(A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the map referenced in paragraph (a)(1) and legal descriptions.

(C) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subparagraph (a)(4)(A) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(5) FISH AND WILDLIFE.—

(A) IN GENERAL.—Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Wilderness.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under subparagraph (a)(5)(A).

(6) WITHDRAWALS.—Subject to valid existing rights, the Federal land described in paragraph (a)(1) and any land or interest in land that is acquired by the United States in the Wilderness after the date of enactment of this Act is withdrawn from—

- (A) entry, appropriation, or disposal under the public land laws;
- (B) location, entry, and patent under the mining laws; and
- (C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

TITLE IV—LOCAL GOVERNMENT CONVEYANCES IN THE STATE OF NEVADA FOR PUBLIC PURPOSES

SEC. 401.—CITY OF BOULDER CITY, NEVADA.

(a) IN GENERAL.—Upon request of the appropriate unit of local government, the Secretary shall convey public lands that were excepted and reserved to the United States, as described in Item 2 under Exhibit B of Patent Nev-048100, created pursuant to the Eldorado Valley Act (Public Law 85-339), without consideration.

(b) ADMINISTRATION OF ACQUIRED LAND.—The land acquired under subsection (a) shall be subject to valid existing rights and administrative authority shall remain with the United States Department of Interior.

(c) REVERSION.—

(1) IN GENERAL.—If any parcel conveyed under this section ceases to be used for the public purpose for which the parcel was conveyed, as described in subsection (a), the land shall, at the discretion of the Secretary based on his determination of the best interests of the United States, revert to the United States.

(2) RESPONSIBILITY OF LOCAL GOVERNMENTAL ENTITY.—If the Secretary determines pursuant to paragraph (c)(1) that the land should revert to the United States, and if the Secretary determines that the land is contaminated with hazardous waste, the local governmental entity to which the land was conveyed shall be responsible for remediation of the contamination.

SEC. 402. CITY OF MESQUITE, NEVADA CONVEYANCE FOR A PUBLIC PARK AND PROTECTION OF THE VIRGIN RIVER WATERSHED.

Discussion Draft

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September 4, 2019

(a) IN GENERAL.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), upon the request of the appropriate unit of local government, as described below, the Secretary shall convey the following parcels of public land without consideration, subject to the provisions of this section:

(1) CITY OF MESQUITE – RIVER PARK.—The approximately 250-acre parcels as generally depicted on the map entitled “City of Mesquite – River Park” dated September 4, 2019 to City of Mesquite, Nevada, for the City of Mesquite’s effort to develop a Virgin River Watershed Recreation Plan.

(b) MAP AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize legal descriptions of the parcels to be conveyed under paragraph (a)(1). The Secretary may correct any minor errors in the map referenced in paragraph (a)(1) or in the applicable legal descriptions. The map and legal descriptions shall be on file and available for public inspection in the Las Vegas Field Office of the Bureau of Land Management.

(c) REVERSION.—

(1) IN GENERAL.—If any parcel conveyed under paragraph (a)(1) ceases to be used for the public purpose for which the parcel was conveyed, as described in paragraph (a)(1), the land shall, at the discretion of the Secretary based on his determination of the best interests of the United States, revert to the United States.

(2) RESPONSIBILITY OF LOCAL GOVERNMENTAL ENTITY.—If the Secretary determines pursuant to paragraph (c)(1) that the land should revert to the United States, and if the Secretary determines that the land is contaminated with hazardous waste, the local governmental entity to which the land was conveyed shall be responsible for remediation of the contamination.

SEC. 403. CLARK COUNTY, NEVADA CONVEYANCE TO SUPPORT PUBLIC SAFETY AND WILDFIRE RESPONSE.

(a) IN GENERAL.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), upon the request of the appropriate unit of local government, as described below, the Secretary shall convey the following parcels of public land without consideration, subject to the provisions of this section:

(1) MOUNT CHARLESTON PUBLIC SAFETY COMPLEX.—The approximately 16-acre parcel as generally depicted as Parcel A on the map entitled “Mount Charleston Public Safety Complex” dated September 4, 2019 to Clark

County, Nevada, for police and fire facilities; and the parcel generally depicted on the map entitled “Parcel for Lee Canyon Fire Station” dated September 4, 2019.

(2) PUBLIC SAFETY TRAINING FACILITIES.—The approximately 1,959-acre parcels as generally depicted on the map entitled “Metro Parcels” dated September 4, 2019.

(b) MAP AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize legal descriptions of the parcels to be conveyed under paragraphs (a)(1) and (a)(2). The Secretary may correct any minor errors in the maps referenced in subsection (a)(1) and (a)(2) or in the applicable legal descriptions. The maps and legal descriptions shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) REVERSION.—

(1) IN GENERAL.—If any parcel conveyed under paragraphs (a)(1) and (a)(2) ceases to be used for the public purpose for which the parcel was conveyed, the land shall, at the discretion of the Secretary based on his determination of the best interests of the United States, revert to the United States.

(2) RESPONSIBILITY OF LOCAL GOVERNMENTAL ENTITY.—If the Secretary determines pursuant to paragraph (c)(1) that the land should revert to the United States, and if the Secretary determines that the land is contaminated with hazardous waste, the local governmental entity to which the land was conveyed shall be responsible for remediation of the contamination.

SEC. 404. MOAPA VALLEY WATER DISTRICT, NEVADA CONVEYANCE TO SUPPORT ACCESS TO RURAL WATER SUPPLY.

(a) IN GENERAL.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), upon the request of the Moapa Valley Water District, as described below, the Secretary shall convey the following parcels of public land without consideration, subject to the provisions of this section:

(1) MOAPA VALLEY WATER DISTRICT FACILITIES.—The parcels as generally depicted on the map entitled “Moapa Valley Water District – Facilities and Land Conveyances” dated September 4, 2019 to Moapa Valley Water District for construction, operation, and maintenance of critical water conveyance infrastructure necessary to supply water to the communities of Logandale, Overton, Glendale and/or Moapa, provided that with respect to any such parcels or facilities on or overlapping lands to be transferred for the benefit of the Moapa Band of Paiutes under Sec. 101 of this Act, the interest of Moapa Valley Water District shall

be in the form of a right-of-way for construction, maintenance and operation of such facilities, as indicated in Sec. 101 of this Act, rather than a conveyance of title to land.

(b) MAP AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize legal descriptions of the parcels to be conveyed under paragraph (a)(1). The Secretary may correct any minor errors in the map referenced in paragraph (a)(1) or in the applicable legal descriptions. The map and legal descriptions shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) REVERSION.—

(1) IN GENERAL.—If any parcel conveyed under this section ceases to be used for the public purpose for which the parcel was conveyed, as described in paragraph (a)(1), the land shall, at the discretion of the Secretary based on his determination of the best interests of the United States, revert to the United States.

(2) RESPONSIBILITY OF LOCAL GOVERNMENTAL ENTITY.—If the Secretary determines pursuant to paragraph (1) that the land should revert to the United States, and if the Secretary determines that the land is contaminated with hazardous waste, the local governmental entity to which the land was conveyed shall be responsible for remediation of the contamination.

TITLE V—TECHNICAL AMENDMENTS TO THE MESQUITE LANDS ACT 2001

SEC 501—AMENDMENTS TO THE MESQUITE LANDS TO ALLOW FOR IMPLEMENTATION OF THE LOWER VIRGIN RIVER WATERSHED PLAN.

(a) IN GENERAL—Section 3 of Public Law 99-548 (100 Stat. 3061; 110 Stat. 3009-202) is amended—

(1) in subsection (d) by striking “(A) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this section; (B) for the development of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, including any associated groundwater monitoring plan; and” and redesignating paragraph (C) as paragraph (B)

(2) by inserting before paragraph (B) (as redesignated) the following: “(A) for the planning and implementation of a Lower Virgin River Watershed Plan.”.

TITLE VI.—TECHNICAL AMENDMENTS TO THE SOUTHERN NEVADA LIMITED TRANSITION AREA ACT OF 2006

SEC 601—AMENDMENTS TO THE SOUTHERN NEVADA LIMITED TRANSITION AREA.

- (a) Section 2602 of Public law 111-11 (123 STAT 991) is amended as follows:
- (1) by striking “502 acres” and inserting “1,250 acres” in subsection (a)(4)
 - (2) by striking the remaining sentence after “Nevada,” in subsection (a)(4) and inserting, “and identified as ‘Southern Nevada Limited Transition Area’ on the map entitled “Limited Transition Area (LTA) 2019 Amendment” and dated March 20, 2019.”
 - (3) by striking “nonresidential development” in paragraph (b)(2) and inserting at the end of the sentence “nonresidential and limited residential development that augments and integrates with the nonresidential development that is not free standing”
 - (4) by striking “competitive bid process” in clause (b)(2)(B)(i) and inserting “shall be sold at fair market value.”
 - (5) by inserting “and applicable Nevada law” at the end of the sentence in subparagraph (b)(2)(C).
 - (6) by inserting at the end of the last sentence in paragraph (b)(3) “and is considered an eligible entity to lease or purchase lands under subparagraph (A) in compliance with methods defined in subparagraph (B), the compliance defined in subparagraph (C), and the disposition of proceeds defined in subparagraph (D)”.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. OFF-HIGHWAY VEHICLE RECREATION AREAS.

- (a) DESIGNATION.—In accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and subject to existing and valid rights, and to rights-of-way for construction, maintenance, and operation of Moapa Valley Water District facilities as shown on the map entitled “Moapa Valley Water District – Facilities and Land Conveyances”, certain Bureau of Land Management land as generally depicted on the map entitled “OHV Recreation Areas” within Clark County, Nevada and dated September 4, 2019 shall be designated as an Off-Highway Vehicle Recreation Area. The areas are as follows:

- (1) Logandale Trails area,
- (2) Nelson Hills area,
- (3) Laughlin area, and
- (4) Sandy Valley area.

(b) ADMINISTRATION.—The Secretary shall amend the Las Vegas Valley Resource Management Plan to include Off-Highway Vehicle Recreation Areas as described in subsection (a) and administer the Off-Highway Vehicle Recreation Areas pursuant to the Las Vegas Valley Resource Management Plan to preserve off-highway vehicle recreation. Travel shall be limited to existing trails and roads unless otherwise modified by planning efforts in subsection (d) below.

(c) PURPOSE.—The purpose of the off-highway vehicle recreation area designation is to preserve and enhance recreational opportunities within Clark County.

(d) MANAGEMENT.—Not later than 2 years after the date of the enactment of this Act, the Secretary, in consultation with the State, the County, and any other interested persons shall complete a Travel and Transportation Management Plan and Recreation Area Management Plan in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each of the Off-Highway Vehicle Recreation Areas described in subsection (a).

(e) MAP AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize legal descriptions of the parcels to be designated under this section. The Secretary may correct any minor errors in the map referenced in subsection (a) or in the applicable legal descriptions. The map and legal descriptions shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(f) LEGAL EFFECT.—The map and legal description filed under subsection (e) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map referenced in subsection (a) and any applicable legal descriptions.

(g) WITHDRAWAL.—Subject to valid existing rights, all Federal lands identified in subsection (a) for designation as an off-highway vehicle recreation area are withdrawn from-

- (1) all forms of entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the United States mining laws; and
- (3) disposition under all laws pertaining to mineral and geothermal leasing and mineral materials.

(h) TRANSPORTATION AND UTILITY CORRIDORS.—

(1) EFFECT.—Nothing in this section—

(A) affects the existence, use, operation, maintenance, repair, construction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation improvement funding, removal, or replacement of any utility facility or appurtenant right-of-way within an existing designated transportation and utility corridor within the Off-Highway Vehicle Recreation Areas designated in subsection (a).

(B) precludes the Secretary from authorizing the establishment of new utility facility rights-of-way within an existing designated transportation and utility corridor within the Off-Highway Vehicle Recreation Areas designated in subsection (a)—

(i) in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law; and

(ii) subject to such terms and conditions as the Secretary determines to be appropriate.

SEC. 702. EASTERN NEVADA TRANSMISSION PROJECT FOR INCREASE RENEWABLE ENERGY TRANSMISSION.

(a) IN GENERAL—Notwithstanding sections 202 and 503 of the Federal Land Policy and Management Act of 976 (43 U.S.C. 1711, 1763) and notwithstanding any other provision of law, subject to valid and existing rights, the Secretary of the Interior shall grant to the Southern Nevada Water Authority a nonexclusive right-of-way to federal land in Clark County and Lincoln County, Nevada for construction and operation of a power line to convey power between Coyote Springs Valley and Las Vegas Valley, as shown on the map entitled “SSEA 230kV Transmission” and dated March 12, 2018. The geographic extent of the right-of-way required under this section shall consist of those areas included in rights-of-way previously granted to the Silver State Energy Association and to the Southern Nevada Water Authority under N-86357 and N-78803 for power lines within Clark County and southern Lincoln County (Coyote Springs Valley), which were issued subject to and remain the subject of any applicable requirements and judicial review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.). Notwithstanding the foregoing, for power lines within this same right-of-way, the right-of-way granted to the Southern Nevada Water Authority under this section for power line construction and operation shall be subject only to the terms, conditions, and stipulations identified in the existing rights-of-way N-86357 and N-78803, and shall not be subject to further administrative or judicial

review. The right-of-way shall be granted in perpetuity and shall not require the payment of rental fees.

SEC. 703. WATER INFRASTRUCTURE CONVEYANCES FOR PUBLIC PURPOSES.

(a) IN GENERAL—Notwithstanding sections 203, 211 and 508 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1721, 1768) and notwithstanding any other provision of law, subject to valid and existing rights, the Secretary of the Interior shall, upon request by a public water agency, convey and transfer title of the federal lands on which water infrastructure owned or managed by that public water agency is located within Clark County. The conveyance and transfer shall not require payment and shall not be subject to further administrative or judicial review.

SEC. 704. LOWER LAS VEGAS WASH WEIRS TO PREVENT FURTHER EROSION AND IMPROVE WATER QUALITY

(a) IN GENERAL—Subject to existing and valid rights and all applicable laws, the Secretary of the Interior shall complete construction of the remaining six erosion control weirs on the lower Las Vegas Wash within the Lake Mead National Recreation Area, as identified in the Department of Transportation Federal Highway Administration's 2010 Lower Las Vegas Wash Planning Study. The weirs shall be completed by the Department of the Interior within eight years of enactment of this legislation.

SEC. 705. AMENDMENT TO THE LAS VEGAS RESOURCE MANAGEMENT PLAN OF 1998 FOR CRITICAL FLOOD CONTROL FACILITIES.

(a) IN GENERAL—The Las Vegas Resource Management Plan of 1998 shall be amended to allow for the design and construction of flood control facilities in the Coyote Springs Desert Tortoise Area of Critical Environmental Concern, as outlined in the most recent update of the Las Vegas Valley Master Plan for Flood Control Facilities developed by the Regional Flood Control District, as generally depicted on the attached map entitled “Regional Flood Control District Master Plan Facilities in the Coyote Springs Area of Critical Environmental Concern”.